

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

JUSTIN SILVERMAN)
)
)
) Civil Action No. 2:16-cv-03686-RMG
)
Plaintiff,)
)
)
vs.)
)
NATIONAL BOARD OF MEDICAL)
EXAMINERS)
)
)
Defendant.)
)

**PLAINTIFF'S MOTION AND
MEMORANDUM TO FILE IN
CAMERA AND UNDER SEAL**

**PLAINTIFF'S MOTION AND MEMORANDUM TO FILE EXHIBIT ONE OF
COMPLAINT IN CAMERA AND TO BE PLACED UNDER SEAL**

Plaintiff Justin Silverman respectfully moves this Court for an order filing Exhibit One to the Complaint *in camera* and placing the documents contained in Exhibit One of the Complaint under seal. This motion is supported by the Complaint and accompanying memorandum of law. The exhibit in question, attached as Exhibit 1, includes information from Plaintiff's confidential medical records. To prevent the documents from being made part of the public record, the Plaintiff respectfully requests that the Court issue the proposed attached order permitting them to file under seal the exhibit containing the documents.

In accordance with Local Civ. Rule 7.02 (D.S.C.), counsel for Plaintiff states that the Defendant has not yet been served, counsel has not yet appeared for the Defendant, and thus the Defendant is presently not represented by counsel. Counsel for the Plaintiff will consult with counsel for the Defendant concerning this motion as soon as counsel for the Defendant makes an appearance.

PROCEDURE UTILIZED FOR FILING AND SERVICE OF MOTION

The Plaintiff filed this lawsuit through ECF on Friday, November 18, 2016. The Summons did not issue, and a case number was not assigned, until Monday, November 21, 2016. The Summons and Complaint, and this Motion with accompanying Memorandum, will be transmitted to a process server in Philadelphia, Pennsylvania, as soon as counsel for the Plaintiff receives a file-stamped copy of the Motion and Memorandum. It is anticipated that service will be had upon the Defendant no later than November 23, 2016, and the affidavit of service will be filed upon its receipt. Should the Defendant not appear in due course after service, the Plaintiff will seek to have his motion addressed *ex parte* as a motion to file Exhibit One of the Complaint *In Camera* and Under Seal.

S/Allan R. Holmes

Allan R. Holmes, Federal I.D. #1925
Cheryl H. Ledbetter, Federal I.D. #11446
Suite 110, 171 Church Street
Charleston, South Carolina 20401
Phone: (843) 722-0033
Facsimile: (843) 722-0114

ATTORNEYS FOR PLAINTIFF

November 21, 2016